

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 23-24868-CIV-LENARD/ELFENBEIN

PLITEQ, INC, *et. al.*,

Plaintiffs,

v.

MAGED MOSTAFA,

Defendant.

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OMNIBUS ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE is before the Court on the Report and Recommendation of Magistrate Judge Marty Fulgueira Elfenbein (“R. & R.,” D.E. 73) issued on June 20, 2024. The R. & R. recommends that the Court deny Plaintiffs, Pliteq, Inc. and Pliteq Building Materials, LLC’s (together, “Plaintiffs”) Motion for Entry of Final Default Judgment (D.E. 25); grant in part and deny in part Defendant Maged Mostafa’s (“Defendant”) Motion to Vacate Clerk’s Entry of Default and to Quash Service of Process (D.E. 27); and deny Defendant’s Motion to Dismiss for Lack of Personal Jurisdiction. (D.E. 45.)


The Parties were provided fourteen days to file objections. As of the date of this Order, no objections have been filed. Failure to file timely objections shall bar the parties from attacking on appeal the factual findings contained in the R. & R.

See Resolution Trust Corp. v. Hallmark Builders, Inc., 996 F.2d 1144, 1149 (11th Cir. 1993).

Based on an independent review of the R. & R., the related pleadings, and the record, it is hereby **ORDERED AND ADJUDGED** that:

1. The R. & R. (D.E. 73) is **ADOPTED**;
2. Defendant's Motion to Dismiss for Lack of Personal Jurisdiction (D.E. 45) is **DENIED**;
3. Defendant's Motion to Vacate Clerk's Entry of Default and to Quash Service of Process (D.E. 27) is **GRANTED in part** and **DENIED in part**. The Motion to Vacate Clerk's Entry of Default portion is **GRANTED**, and the Motion to Quash Service of Process portion is **DENIED**. The Clerk shall **VACATE** the Clerk's Entry of Default. (D.E. 22.)
4. Plaintiffs' Motion for Entry of Final Default Judgment (D.E. 25) is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida this 1st day of August, 2024.


JOAN A. LENARD
UNITED STATES DISTRICT JUDGE